

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Isabelle ROLLAT et al.) Parent Group Art Unit: 1615
)
Continuation of U.S. Application) Parent Examiner: C. Evans
No. 09/695,392)
)
Filed: October 28, 2003)
)
For: RESHAPABLE HAIR STYLING)
COMPOSITION COMPRISING ACRYLIC)
COPOLYMERS)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed concurrently with the above-referenced application.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form. Each document marked with an asterisk (*) was either submitted by Applicants or cited by the Office in prior Application No. 09/695,392, upon which Applicants have claimed the benefit of priority under 35 U.S.C. § 120.

Copies of the listed documents without an asterisk (*) are attached.

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With respect to the non-English language documents, Applicant submits the following remarks:

1. **EP 0 761 199** - An abstract of the disclosure of this document can be found in the English language Abstract, which was previously submitted in prior Application No. 09/695,392.
2. **EP 1 174 113** - An abstract of the disclosure of this document can be found in the English language Abstract, which was previously submitted in prior Application No. 09/695,392.
3. **FR 2 760 360** - This document is believed to be a foreign language counterpart of U.S. Patent No. 6,346,234, which was previously submitted in prior Application No. 09/695,392.
4. **JP 10-95714** - An abstract of the disclosure of this document can be found in the English language Abstract, which was previously submitted in prior Application No. 09/695,392.
5. **JP 10-203937** - An abstract of the disclosure of this document can be found in two English language Abstracts and an ISTA machine translation, which were previously submitted in prior Application No. 09/695,392.
6. **JP 48-048648** - An abstract of the disclosure of this document can be found in the English language Abstract, which was previously submitted in prior Application No. 09/695,392.
7. **JP 56-090006** - An abstract of the disclosure of this document can be found in the English language Abstract, which was previously submitted in prior Application No. 09/695,392.

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8. **JP 57-050912** - An abstract of the disclosure of this document can be found in the English language Abstract, which was previously submitted in prior Application No. 09/695,392.

9. **WO 98/38969** - An English language abstract of this foreign language document can be found on the title page of this document, which was previously submitted in prior Application No. 09/695,392.

10. **WO 99/08652** - An English language abstract of this foreign language document can be found on the title page of this document, which was previously submitted in prior Application No. 09/695,392.

11. **WO 99/63954** - An English language abstract of this foreign language document can be found on the title page of this document, which was previously submitted in prior Application No. 09/695,392.

Additionally, Applicants would like to bring to the Examiner's attention the following co-pending applications, which the Examiner might consider to relate to similar subject matter and which were all submitted with the filing of the parent application:

1. **Title:** ACRYLIC-BASED COPOLYMER COMPOSITIONS FOR COSMETIC AND PERSONAL CARE
By: Steven S. KANTNER et al.
Filed: October 25, 2000
Application No.: 09/696,468
Attorney Docket No.: 55980USA3A.002

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2. **Title:** RESHAPABLE HAIR STYLING COMPOSITION COMPRISING
AQUEOUS COLLOIDAL DISPERSIONS OF SULFONATED
POLYURETHANE UREA
By: Isabelle ROLLAT et al.
Filed: July 27, 2000
Application No.: 09/627,121; issued as 6,517,821
Attorney Docket No.: 05725.0661-00000
3. **Title:** RESHAPABLE STYLING COMPOSITION COMPRISING
ACRYLIC EMULSIONS
By: Isabelle ROLLAT et al.
Filed: July 27, 2000
Application No.: 09/627,055
Attorney Docket No.: 05725.0662-00000
4. **Title:** RESHAPABLE HAIRSTYLING COMPOSITION COMPRISING
POLYURETHANE DISPERSIONS
By: Isabelle ROLLAT et al.
Filed: July 27, 2000
Application No.: 09/627,785; issued as 6,613,314
Attorney Docket No.: 05725.0663-00000
5. **Title:** RESHAPABLE HAIR STYLING COMPOSITIONS
COMPRISING ACRYLIC COPOLYMERS
By: Isabelle ROLLAT et al.
Filed: October 25, 2000
Application No.: 09/695,392; allowed
Attorney Docket No.: 05725.0756-00000
6. **Title:** RESHAPABLE HAIR STYLING COMPOSITION COMPRISING
SILICON-CONTAINING POLYCONDENSATES
By: Isabelle ROLLAT et al.
Filed: January 26, 2001
Application No.: 09/769,311; issued as 6,520,186
Attorney Docket No.: 05725.0821-00000
7. **Title:** RESHAPABLE HAIR STYLING COMPOSITION COMPRISING
(METH)ACRYLIC COPOLYMER OF FOUR OR MORE
MONOMERS PARTICLES
By: Isabelle ROLLAT et al.
Filed: June 22, 2001
Application No.: 09/886,009; allowed
Attorney Docket No.: 05725.0911-00000

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8. **Title:** RESHAPABLE HAIR STYLING COMPOSITION COMPRISING HETEROGENEOUS (METH)ACRYLIC COPOLYMER PARTICLES
By: Isabelle ROLLAT et al.
Filed: June 22, 2001
Application No.: 09/886,013; allowed
Attorney Docket No. 05725.0912-00000
9. **Title:** RESHAPABLE HAIR STYLING RINSE COMPOSITION COMPRISING (METH)ACRYLIC COPOLYMERS
By: Isabelle ROLLAT et al.
Filed: December 20, 2001
Application No.: 10/023,330
Attorney Docket No.: 05725.0922-00000
10. **Title:** RESHAPABLE HAIR STYLING NON-RINSE COMPOSITION COMPRISING (METH)ACRYLIC COPOLYMERS
By: Isabelle ROLLAT et al.
Filed: December 20, 2001
Application No.: 10/022,253
Attorney Docket No. 05725.0959-00000

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

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If there is any fee due in connection with the filing of this Statement, please
charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: October 28, 2003

By: 
Anthony A. Hartmann
Reg. No. 43,662

**INFORMATION DISCLOSURE CITATION**
(Use several sheets if necessary)

| | | | |
|------------------|------------------------|------------|---|
| Atty. Docket No. | 05725.0756-01 | Appln. No. | Continuation of U.S. Appln No. 09/695,392 |
| Applicant | Isabelle ROLLAT et al. | | |
| Filing Date | October 28, 2003 | Group: | 1615 |

| U.S. PATENT DOCUMENTS | | | | | | | |
|-----------------------|----|-----------------|--------|--------------------|-------|-----------|----------------------------|
| Examiner Initial* | | Document Number | Date | Name | Class | Sub Class | Filing Date If Appropriate |
| | 1* | Re. 29,871 | Dec-78 | Papantoniou et al. | | | |
| | 2* | 3,577,517 | May-71 | Kubot et al. | | | |
| | 3* | 3,660,561 | May-72 | Shepherd et al. | | | |
| | 4* | 4,172,122 | Oct-79 | Kubik et al. | | | |
| | 5* | 4,196,190 | Apr-80 | Gehman et al. | | | |
| | 6* | 4,552,755 | Nov-85 | Randen | | | |
| | 7* | 4,762,703 | Aug-88 | Abrutyn | | | |

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| | | Document Number | Date | Country | Class | Sub Class | Translation Yes or No |
| | 8* | 0 201 342 | Dec-86 | Europe | | | |
| | 9* | 0 299 025 | Jan-89 | Europe | | | |
| | 10* | 0 524 346 | Jan-93 | Europe | | | |
| | 11* | 0 694 565 | Jan-96 | Europe | | | |

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| | 12* | Derwent Abstract of JP 10-95714 |
| | 13* | Derwent Abstract of JP 10-203937 |
| | 14* | Derwent Abstract of JP 48-48648 |
| | 15* | Derwent Abstract of JP 56-90006 |

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| Examiner | Date Considered |
| *Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |
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| | 16* | 4,859,455 | Aug-89 | Nowak Jr. et al. | | | |
| | 17* | 4,963,348 | Oct-90 | Bolich et al. | | | |
| | 18* | 4,978,527 | Dec-90 | Brink et al. | | | |
| | 19* | 4,985,239 | Jan-91 | Yahagi et al. | | | |
| | 20* | 5,019,377 | May-91 | Torgerson | | | |
| | 21* | 5,026,540 | Jun-91 | Dixon et al. | | | |
| | 22* | 5,104,642 | Apr-92 | Wells et al. | | | |

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| | 23* | 0 985 401 | Mar-00 | Europe | | | |
| | 24* | 0 985 405 | Mar-00 | Europe | | | |
| | 25* | 10-95714 | Apr-98 | Japan | | | Abstract |
| | 26* | 10-203937 | Aug-98 | Japan | | | Yes |
| | 27* | 48-48648 | Jul-73 | Japan | | | Abstract |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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| | 28* | Derwent Abstract of JP 57-50912 |
| | 29* | English language translation of JP 10-203937 |
| | 30* | Dialog Abstract of JP 10-203937 |

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| Applicant | Isabelle ROLLAT et al. | | |
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| Examiner Initial* | | Document Number | Date | Name | Class | Sub Class | Filing Date If Appropriate |
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| | 31* | 5,120,532 | Jun-92 | Wells et al. | | | |
| | 32* | 5,171,807 | Dec-92 | Kopolow | | | |
| | 33* | 5,173,291 | Dec-92 | Brink et al. | | | |
| | 34* | 5,219,559 | Jun-93 | Kopolow | | | |
| | 35* | 5,238,736 | Aug-93 | Tseng et al. | | | |
| | 36* | 5,413,775 | May-95 | Hatfield et al. | | | |

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| | 37* | 56-90006 | Jul-81 | Japan | | | Abstract |
| | 38* | 57-50912 | Mar-82 | Japan | | | Abstract |
| | 39* | WO 93/06816 | Apr-93 | PCT | | | |
| | 40* | WO 94/02112 | Feb-94 | PCT | | | |

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| 41* | Co-pending U.S. Application No. 09/380,467; Attorney Docket No.: 05725.0471-00000 Title: HAIRSTYLING COMPOSITION CAPABLE OF BEING REMODELLED Inventors: Isabelle ROLLAT et al. U.S. Filing Date: September 3, 1999 |
| 42* | Co-pending U.S. Application No. 09/627,121; Attorney Docket No.: 05725.0661-00000 Title: RESHAPABLE HAIR STYLING COMPOSITION COMPRISING AQUEOUS COLLOIDAL DISPERSIONS OF SULFONATED POLYURETHANE UREA Inventors: Isabelle ROLLAT et al. U.S. Filing Date: July 27, 2000 |

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| | 54* | 5,589,157 | Dec-96 | Hatfield | | | |
| | 55* | 5,620,683 | Apr-97 | Tong et al. | | | |
| | 56* | 5,658,558 | Aug-97 | Schwartz | | | |
| | 57* | 5,662,892 | Sep-97 | Bolich Jr. et al. | | | |
| | 58* | 5,688,493 | Nov-97 | Sugawara et al. | | | |
| | 59* | 5,938,058 | Aug-99 | Kim | | | |

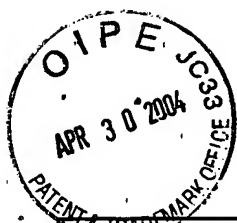
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| | 60* | WO 98/51266 | Nov-98 | PCT | | | |
| | 61* | WO 99/63954 | Dec-99 | PCT | | | Abstract |
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| 62* | Co-pending U.S. Application No. 09/695,392; Attorney Docket No.: 05725.0756-00000 Title: RESHAPABLE HAIR STYLING COMPOSITIONS COMPRISING ACRYLIC EMULSIONS Inventors: Isabelle ROLLAT et al. U.S. Filing Date: October 25, 2000 |
| 63* | Co-pending U.S. Application No. 09/769,311; Attorney Docket No.: 05725.0821-00000 Title: RESHAPABLE HAIR STYLING COMPOSITION COMPRISING SILICON-CONTAINING POLYCONDENSATES Inventors: Isabelle ROLLAT et al. U.S. Filing Date: January 26, 2001 |

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| Applicant | Isabelle ROLLAT et al. | | |
| Filing Date | October 28, 2003 | Group: | 1615 |

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| | 64* | 5,989,570 | Nov-99 | Lion et al. | | | |
| | 65* | 6,013,722 | Jan-00 | Yang et al. | | | |
| | 66* | 6,060,072 | May-00 | Konik et al. | | | |
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| 67* | Co-pending U.S. Application No. 09/866,009; Attorney Docket No.: 05725.0911-00000 Title: RESHAPABLE HAIR STYLING COMPOSITION COMPRISING (METH) ACRYLIC COPOLYMERS OF FOUR OR MORE MONOMERS Inventors: Isabelle ROLLAT et al. U.S. Filing Date: June 22, 2001 |
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| Examiner | Date Considered |
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| Applicant | Isabelle ROLLAT et al. | | |
| Filing Date | October 28, 2003 | Group: | 1615 |

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| | 68* | 4,300,580 | Nov-81 | O'Neill et al. | | | |
| | 69* | 4,358,567 | Nov-82 | Hayama et al. | | | |
| | 70* | 5,120,531 | Jun-92 | Wells et al. | | | |
| | 71* | 5,730,966 | Mar-98 | Torgerson et al. | | | |
| | 72* | 5,968,495 | Oct-99 | Bolich Jr. et al. | | | |
| | 73* | 5,997,886 | Dec-99 | Peffly et al. | | | |
| | 74* | 6,168,866 | Jan-01 | Clark | | | |
| | 75* | 6,214,328 | Apr-01 | Chang et al. | | | |

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| 76* | Co-pending U.S. Application No. 10/023,330; Attorney Docket No.: 05725.0922-00000 Title: RESHAPABLE HAIR STYLING RINSE COMPOSITION COMPRISING (METH)ACRYLIC COPOLYMERS Inventors: Isabelle ROLLAT et al. U.S. Filing Date: December 20, 2001 |
| 77* | Co-pending U.S. Application No. 10/022,253; Attorney Docket No.: 05725.0959-00000 Title: RESHAPABLE HAIR STYLING NON-RINSE COMPOSITION COMPRISING (METH)ACRYLIC COPOLYMERS Inventors: Isabelle ROLLAT et al. U.S. Filing Date: December 20, 2001 |

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| Examiner Initial* | | Document Number | Date | Name | Class | Sub Class | Filing Date If Appropriate |
|-------------------|-----|-----------------|------------|---------------|-------|-----------|----------------------------|
| | 78* | 6,149,898 | Nov. 2000 | Peffly et al. | | | |
| | 79* | 6,214,328 | Apr. 2001 | Chang et al. | | | |
| | 80* | 6,294,158 | Sept. 2001 | Dupuis | | | |
| | 81* | 2002/0004035A1 | Jan. 2002 | Bhatt et al. | | | Sept. 20, 1996 |
| | 82* | 2002/0058754A1 | May 2002 | Engel et al. | | | Nov. 17, 1999 |

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|--|-----|-----------------|------------|---------|-------|-----------|-----------------------|
| | 83* | EP 0 761 199 | Mar. 1997 | Europe | | | Abstract |
| | 84* | EP 1 174 113 | Jan. 2002 | Europe | | | Abstract |
| | 85* | FR 2, 760, 360 | Sept. 1998 | France | | | NO |
| | 86* | WO 99/08652 | Feb. 1999 | PCT | | | |
| | 87* | WO 00/57846 | Oct. 2000 | PCT | | | |
| | 88* | WO 02/09656 | Feb. 2002 | PCT | | | |

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| | 89* | Derwent Abstract of EP 0 761 199 |
| | 90* | Derwent Abstract of EP 1 174 113 |
| | 91* | EPO April 3, 2003 Search Report for EP 02 29 3142 |

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U.S. PATENT DOCUMENTS

| Examiner Initial* | | Document Number | Date | Name | Class | Sub Class | Filing Date If Appropriate |
|-------------------|----|-----------------|-----------|----------------|-------|-----------|----------------------------|
| | 92 | 5,961,989 | Oct. 1999 | Mougin et al. | | | |
| | 93 | 6,126,929 | Oct. 2000 | Mougin et al. | | | |
| | 94 | 3,697,643 | Oct. 1972 | Shepherd et al | | | |
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| | 95 | 1 201 223 | May 2, 2002 | Europe | | | |
| | 96 | WO 02/34218 | May 2, 2002 | PCT | | | |
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| | 97 | EP Search Report for EP 02 29 3039, dated Feb. 27, 2003 |
| | 98 | PCT Search Report for WO 02/03275, dated Jan. 20, 2003 |
| | 99 | Jachowicz et al., "Dynamic Hairspray Analysis," 52(5) Journal of Cosmetic Science, 281-295 (Sept. 2001) |

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| Examiner | Date Considered |
| *Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |
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